
U.S. Detention/Interrogation Operations An Update

June 14, 2005

Treatment of Detainees

- On January 19, 2002, the Secretary of Defense issued specific guidance that all detainees be treated humanely.
 - On January 21, 2002, the Chairman of the Joint Chiefs of Staff issued Execute Orders to commanders that transmitted Secretary of Defense order that detainees be treated humanely
- On February 7, 2002, President Bush determined that Al Qaeda and Taliban detainees should be treated:
 - Humanely
 - Consistent with the principles of the Geneva Conventions
 - Consistent with Military Necessity

Guantanamo in Context

- Since September 11, 2001, more than 70,000 detainees have been captured in Afghanistan, Iraq.
 - The vast majority have been released
 - We are working with Iraq, Afghan, and other governments to have them take control of detainees from their countries
- Some 800 suspected Al Qaeda or Taliban have been sent to Guantanamo
 - App. 520 remain
 - App. 235 have been released/transferred to other countries
 - 61 are awaiting release or transfer
- Detainees are trained to resist interrogation
 - Captured Al Qaeda training manual (“Manchester Document”) instructs members to allege abuse and torture if captured

Investments

- The United States has invested significantly in Guantanamo, as the most appropriate location to execute operations that result from the President's February 7, 2002, determination.
 - Investments in Guantanamo since 2002:
 - \$109.2 Million in new construction(\$42 Million additional underway from '05 Supplemental):
 - Medical Facilities
 - Interrogation Facilities
 - Multi-story berthing/dining/food preparation facilities
 - \$241 Million in cost of operations (now roughly \$95 million/year)
- The United States also has made investments of over \$140 Million to improve existing or build new detention facilities in Afghanistan and Iraq

Guantanamo Review Process

- Combatant Status Review Tribunals
 - Baseline review, conducted consistent with recent Supreme Court ruling
 - All detainees have been reviewed by a Tribunal
 - 38 determined to be no longer enemy combatants.
 - 23 released
 - 15 in process for release
- Administrative Review Boards
 - Review of each case at least annually for possible release, based on threat
 - More than 130 Boards completed to date
- 95 habeas corpus petitions filed covering 203 detainees (a petition to make a detainee available in court)
- Military Commissions are available and ready
 - Awaiting resolution of various U.S. federal court rulings and reviews

The Value of Guantanamo

- Who is at Guantanamo? (Note: None under 18 years old)
 - Terrorist trainers
 - Bomb makers
 - Recruiters and facilitators
 - Terrorist Financiers
 - UBL body-guards
 - Would-be suicide bombers
- What is the U.S. learning?
 - Organizational structure of al-Qaida and other terrorist groups
 - Extent of terrorist presence in Europe, the U.S. and Middle East
 - Al-Qaida's pursuit of WMD
 - Methods of recruitment; location of recruitment centers
 - Terrorist skill sets: General and specialized operative training
 - How legitimate financial activities are used to hide terrorist operations

Intelligence Gained at Guantanamo has prevented Terrorist Attacks and saved American lives

Transparency

- Access provided to Guantanamo since 2002:
 - International Committee of the Red Cross
 - 24/7 access to the facility, at its discretion
 - Had a permanent presence, recently changed at its choosing
 - Media (400 visits by 1,000 national and international journalists)
 - Lawyers for detainees (in connection with habeas cases)
 - 11 Senators, 77 Representatives and 99 Congressional staff members
- The U.S. Government has released more than 16,000 pages of documents regarding detainee operations, including classified interrogation techniques.
 - Media/NGO “reports” are based on documents U.S. government has made public
 - Abu Ghraib misconduct/abuse photos already given wide coverage and reviewed by Congress in 2004 will soon be released to the public

Universe of Detainee Mistreatment

- **Abuses and other misconduct involving detainees have occurred**
 - Notably, nothing significant at Guantanamo has been identified
- **The U.S. government is holding people accountable**
 - More than 390 criminal investigations
 - More than 50 referrals to trial by Courts-Martial
 - More than 85 Non-Judicial Punishments (Fines/Reduction in Rank/etc)
 - More than 26 administrative actions (Relief from duty/Discharge)
- **Abu Ghraib accountability**
 - Commanding General relieved of command & reduced in rank
 - Intelligence Brigade Commander (Colonel) relieved of command
 - 8 Courts-Martial completed; 1 pending
 - Sentences range from 6 months to 10 years imprisonment
 - 4 officers received Non-Judicial Punishments
 - Further action pending on 13 Soldiers

Investigations

INVESTIGATION	PURPOSE	STATUS
Taguba	Abu Ghraib Military Police Activities	Complete
Fay	Abu Ghraib Military Intel Activities	Complete
Church I	Charleston/Guantanamo Quicklook	Complete
Miller	Guantanamo Intel/Detention Ops	Complete
Ryder	Iraq Detention Ops	Complete
Formica	Iraq Special Forces Detainee Ops	Complete
Jacoby	Afghanistan Detention Ops	Complete
Mikolashek	General Review of Doctrine/Training	Complete
Schlesinger	Assessment of DoD Detention Ops	Complete
Church II	Assessment of DoD Interrogation Ops	Complete
Kiley	Medical Support to Detention Ops	In Progress
Schmidt/Furlow	FBI E-mails/Kahtani	In Progress

Select Reforms

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- 442 Reform Recommendations from Completed Investigations
 - Major Changes Implemented by Defense Department to date:
 - Established Deputy Assistant Secretary for Detainee Affairs
 - Established Joint Staff Detainee Affairs Division
 - Established Army Provost Marshal General as executive agent for detention operations
 - Established Detainee Operations Oversight Council
 - Improved reporting relationship with International Committee of the Red Cross and expanded and expedited internal review of ICRC reports
 - Placed a Two-Star Officer in charge of Detention Operations in Iraq
 - Standardized Interrogation/Detention Operations across the theaters
 - Made multi-million dollar investment in improved facilities at Guantanamo
 - Trained Soldiers to accommodate religious/cultural practices
 - U.S. is providing high quality medical care to detainees

NOTE: Other departments have implemented reforms